

FILED

JAN 31 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.
16 DUANIEAL MENIFEE

17 Defendant.

18) No. CR 05-00401 DLJ

19) **PROPOSED ORDER**
20) **COMMANDING PRODUCTION OF**
21) **SUBPOENAED DOCUMENTS**

22 On November 15, 2005, in response to the application of Duanieal Menifee under Fed. R.
23 Crim. P. Rule 17(b) and (c), this Court issued a subpoena requiring the Antioch Police Department
24 to produce documents reflecting, referring or relating to

25 (1) any calls to the Antioch Police Department regarding disturbances, complaints,
26 ordinance violations, or other similar activity occurring at, emanating from, or involving the
residents of 1512 Sycamore Drive, #2 in Antioch, California from the period October 15, 2004
through April 15, 2005;

27 (2) any calls to the Antioch Police Department originating from 2208 B Manzanita
28 Way; and,

29 (3) any citations issued by the Antioch Police Department to Markell Eugene Crater or
30 his mother, Nicomas Crater aka Nicomas Bennett.

31 ORDER

1 After the government filed a motion to quash the subpoena and obtained a temporary stay of
2 the subpoena order, the Court, on January 6, 2006, after considering the briefs and arguments of
3 counsel, denied the government's motion to quash.

4 IT IS THEREFORE ORDERED that the subpoena command the production of the requested
5 materials to the Federal Public Defender forthwith, and in no event any later than February 10, 2006.

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8
9 January 31, 2006


D. LOWELL JENSEN
United States District Judge

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ORDER